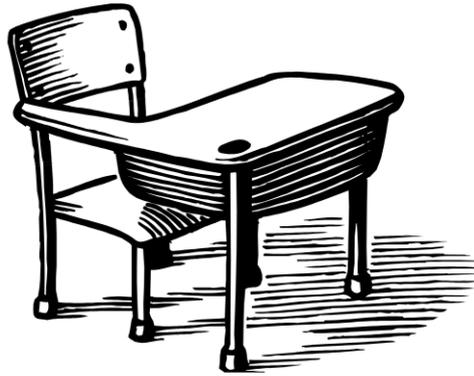


Open Enrollment Space



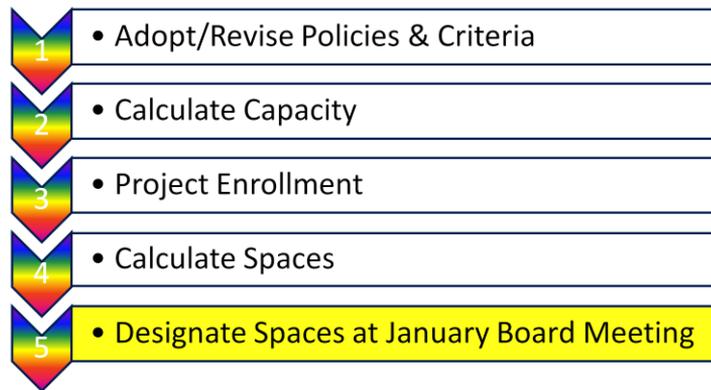
Part 5: January School Board Meeting

Before completing this presentation, it is recommended that you view the following presentations:

- Administering the Regular Open Enrollment Application Process: Overview
- Preferences and Guarantees
- Open Enrollment Reasons for Denial
- Open Enrollment Space Determinations: Part 1
- Open Enrollment Space Determinations: Part 2
- Open Enrollment Space Determinations: Part 3
- Open Enrollment Space Determinations: Part 4

To advance to the next slide, click on the Next button.

Factors & Steps for Determining Open Enrollment Spaces



The topic of determining open enrollment spaces is divided into five presentations, or parts.

Part 1 discusses required school board open enrollment policies and criteria.

Parts 2, 3 and 4 discuss the determination of space, as follows:

- Part 2 discusses capacity.
- Part 3 discusses enrollment projections.
- Part 4 discusses the calculation of open enrollment spaces.

Part 5 discusses the designation of spaces at the January board meeting.

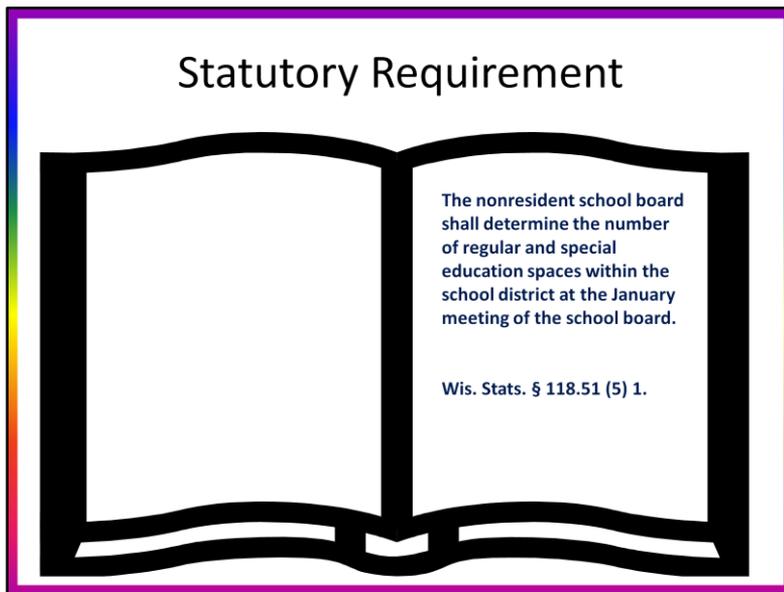
To go to any presentation in the series, click on the number in the slide.



JANUARY BOARD MEETING

**DESIGNATION OF REGULAR
EDUCATION SPACES**

Statutory Requirement



The statute requires the nonresident school board to determine the number of regular education spaces within the district at the January board meeting.

Administrative Rules

At the January board meeting, the nonresident board shall designate the number of regular education spaces, by grade, in the district.

The board may not, on or after the first Monday in February, reduce the number of spaces.

Wis. Adm. Code § PI 36.06 (5) (a) and (b).

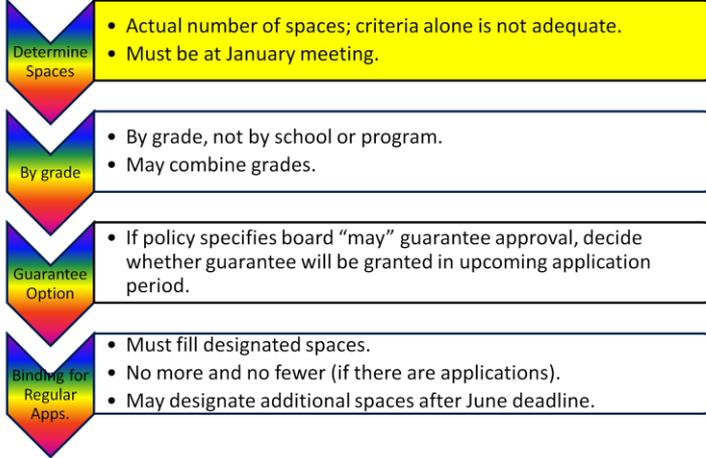
Criteria may consider space in schools, programs, classes or grades, but shall aggregate spaces by grade for the purposes of designating spaces.

The board may combine grades, which shall be treated as a single grade for guarantees, preferences & random selection.

Wis. Adm. Code § PI 36.06 (5) (a) and (b).

PI 36, the open enrollment administrative rule, outlines specific requirements for the January board meeting, which will be discussed in upcoming slides.

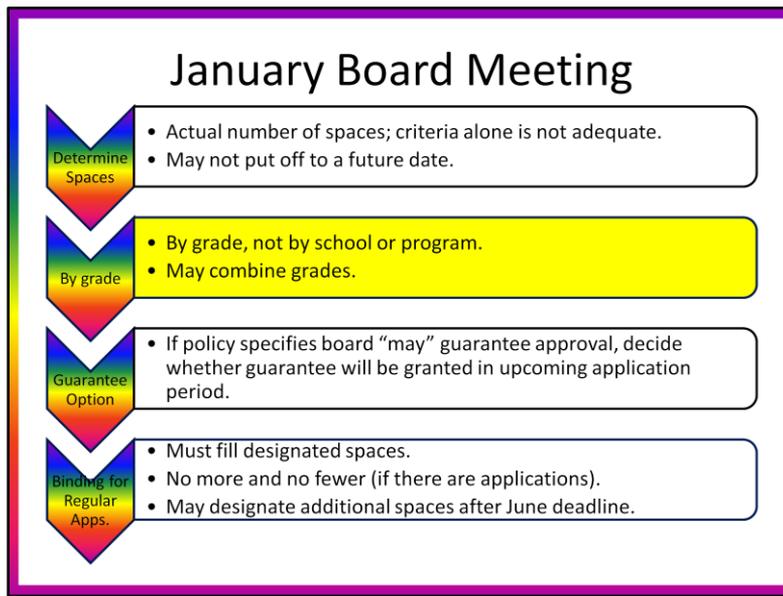
January Board Meeting



At the January board meeting, the board must determine the actual number of available open enrollment spaces in the district.

It is not sufficient to designate criteria.

The statute requires that this decision be made at the January board meeting. Not November, or February or any month but January.



Spaces must be designated by grade.

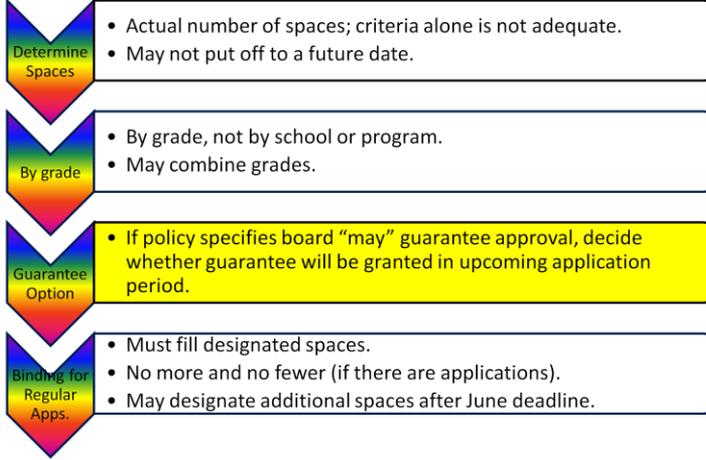
Although the board may use school or program criteria to calculate the number of spaces, the board must aggregate the spaces by grade for purposes of the January determination.

The board may combine grades, if it wishes. For example, a board may have a combined 4th/5th grade class. If that is the case, however, the board must combine and act on the 4th and 5th grade applications as if they were one grade.

A common question arises when there is unlimited space in one school in the district, such as a virtual charter school, but not in another, such as the bricks and mortar school(s).

- If there is unlimited space at any place in the district, then there are unlimited spaces in that grade.
- All applications for that grade must be approved.
- The board must then determine where pupils will be assigned. State law does not specify how the board must make school assignments. However, one possible method would be:
 - Generally honor parent preferences, if possible.
 - If there are not enough spaces in a preferred school, conduct a random selection among those who prefer that school. (It could be assumed that, unless a parent expressed a preference for a virtual charter school, the parent prefers a bricks and mortar school.)
 - Assign pupils who were not randomly selected for their preferred school to a school (including a virtual charter school) that has space. It is up to the parent to decide whether or not to accept the assignment or turn down the open enrollment.

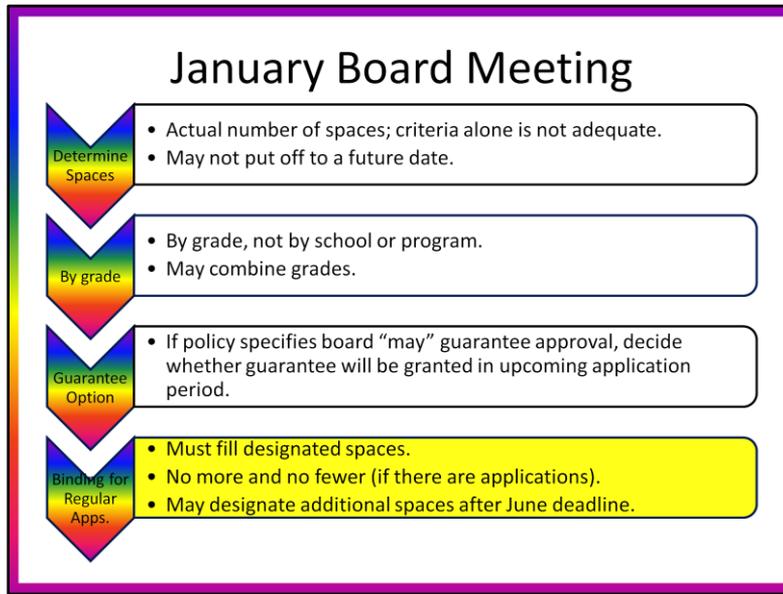
January Board Meeting



If the board’s policy provides that the board “may” guarantee approval to currently-attending applicants and/or siblings of currently-attending pupils, the board must specify whether a guarantee will be granted in the upcoming application period.

If the board does not specify, then the board may not guarantee approval.

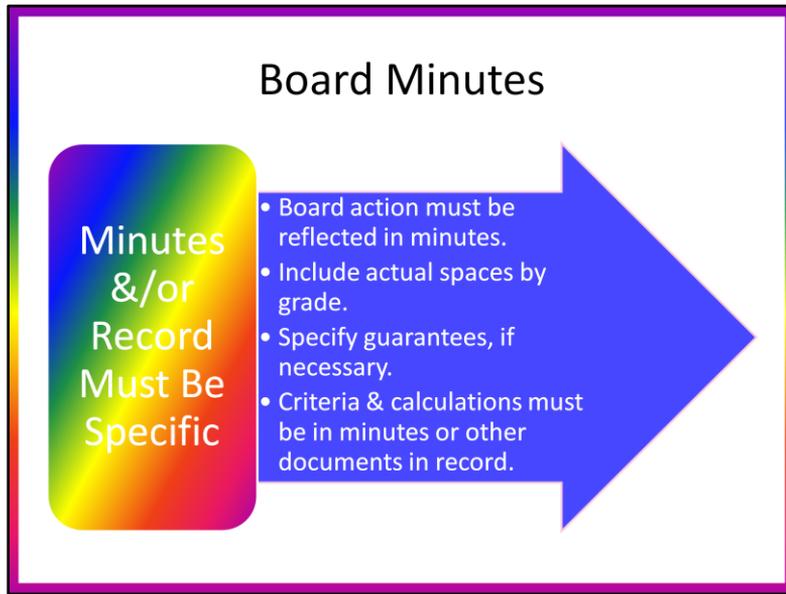
Note: if the policy states that the board “shall” guarantee approval, then it is not necessary for the board to further specify this. The board simply needs to follow its policy.



The number of spaces designated at the January meeting is binding on the board for applications submitted during the regular application period.

That means:

- The board must fill the exact number of designated spaces: no more and no fewer (unless it received fewer applications than spaces).
- The board may not decrease the number of designated spaces.
- The board may increase the number of available spaces, but only after the June approval/denial deadline.
 - Any additional spaces must first be offered to pupils on the board’s waiting list, if any.
 - The board may not approve alternative applications for any grade until after the 3rd Friday in September, unless all regular applications for the grade have been approved.



The board's actions must be reflected in the minutes.

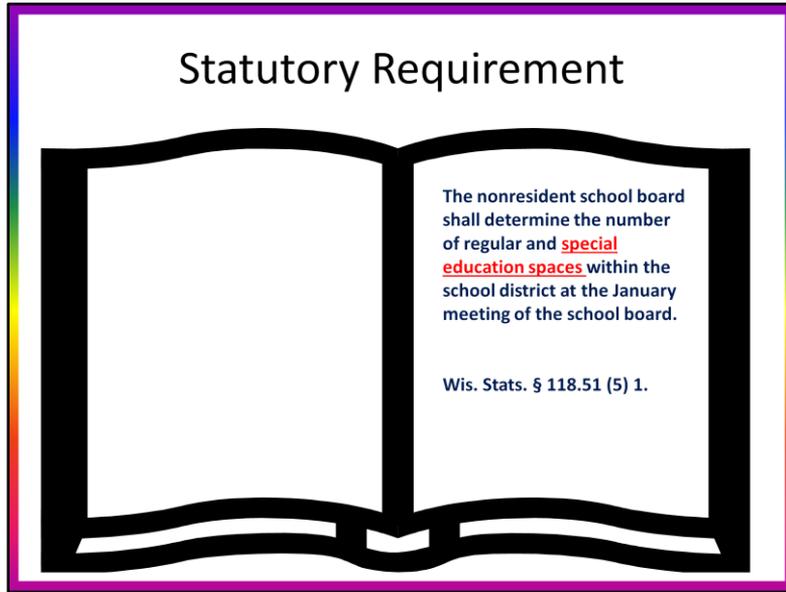
The minutes must reflect the actual number of spaces by grade.

It is not enough to state that the board accepts the administration's recommendations, unless the administration's written recommendations are an official part of the record of the meeting.

The minutes or other official record of the meeting must include the written criteria and calculations upon which the number of spaces was determined.

**DESIGNATION OF SPECIAL
EDUCATION SPACES**

Statutory Requirement



The statute also requires the school board to designate the number of special education spaces at the January board meeting.

In doing so, the board should:

- Calculate a number of spaces for each special education program or service for which a caseload or class size can be established.
- The board can take into account the level of service it is able to provide.
- It is not necessary to designate special education spaces by grade.

Note: when an application is submitted, the board must review the pupil's IEP individually and must be able to provide all of the required special education and related services in the IEP.

Knowledge Check – True or False

1. The board may decide in January to put off making its space decisions until it has better data later in the spring.
2. The board may designate spaces by school.
3. Rather than designate a specific number of spaces, the board may adopt class size criteria and instruct the administration to approval and deny applications according to the criteria.

Answers:

1. False. The board must designate an actual number of spaces in January. It may not put off the decision until a later date.
2. False. The board may calculate the number of spaces by school or program, but in January must aggregate and designate the number of spaces by grade.
3. False. The board must establish criteria by which to determine how many spaces are available. However, the number of spaces must be calculated prior to or at the board meeting, and the board must designate an actual number of spaces at the meeting.